

Remarks

Claims 11, 31, 32, and 51 are amended. The amendments to the claims are to correct minor clerical errors, which overcome the formal objections. Claims 11 – 16, 18, 22 – 33, 35 and 51 - 55 are pending in the application. No new subject matter is added. Applicant requests reconsideration.

Rejection under 35 U.S.C. § 112

Claims 11 – 16, 18, 22 – 33, 35 and 51 – 55 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. To the extent that this rejection may be maintained with respect to the pending claims, it is respectfully traversed.

The Office Action objects to claims 11, 31, 32, and 51 because of the inclusion of the phrase containing variables p and q. This phrase has been cancelled from each of these claims.

The Office Action objects to the formulas in claims 16, 18, 22-30, and 51-53 because the limitation regarding the position of R_8 does not have antecedent basis in claim 11. Applicants have amended the structure in claim 11 to insert the correct variable R_8 in place of R_{25} . This amendment is supported by the application as filed and does not introduce any new subject matter. The formulas in claims 16, 18, 22-30, and 51-53 now have proper antecedent basis for the R_8 term.

Applicants respectfully request that the rejection under 35 U.S.C. § 112, second paragraph be withdrawn.

USSN: 10/578,216
Group Art Unit: 1626
Docket No.: 198P00944USWO

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 455-2564 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-0549.

Respectfully submitted on behalf of
KEVIN R. LYNCH et al.,

Date: April 21, 2009

By William F. Prout
William F. Prout
Registration No: 33,995
612-455-2564 (telephone)
612-331-7401 (facsimile)
Customer No. 23322

IPLM Group, P.A.
P.O. Box 18455
Minneapolis, MN 55418